



Michigan
Office of the Auditor General
REPORT SUMMARY

Performance Audit
Office of Administrative Law and
State Tenure Commission
Department of Education

Report Number:
31-110-02

Released:
November 2002

The Office of Administrative Law (OAL) is responsible for processing appeals by providing administrative hearings and preparing draft decisions for the State Tenure Commission (STC) or the Superintendent of Public Instruction. OAL processes appeals for teacher tenure, property transfers, teacher certification matters, State school aid membership audits, and various other matters within the Department of Education. STC was established by the Teachers' Tenure Act of 1937 to act as a five-member board of review for all teacher tenure appeals.

Audit Objectives:

1. To assess OAL's and STC's effectiveness and efficiency in processing tenure appeals, property transfer appeals, and State school aid membership audit appeals.
2. To assess OAL's and STC's compliance with applicable statutes, administrative rules, and Departmental policies and procedures.

~ ~ ~ ~ ~

Audit Conclusions:

1. OAL and STC were effective and efficient in processing tenure appeals, property transfer appeals, and State school aid membership audit appeals.
2. OAL and STC were generally in compliance with applicable statutes, administrative rules, and Departmental policies and procedures.

~ ~ ~ ~ ~

Reportable Conditions:

OAL had not developed operating policies and procedures regarding the processing of teacher tenure appeals, property transfer appeals, and State school aid membership audit appeals and the release of shielded information (Finding 1).

OAL frequently did not begin and/or conclude teacher tenure appeal hearings within statutory time frames and document the reason for delays (Finding 2).

STC gubernatorial membership appointments did not comply with State statute (Finding 3).

~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Agency Response:

The Department's response stated that it generally agreed with the recommendations and had initiated corrective action, where appropriate.

A copy of the full report can be
obtained by calling 517.334.8050
or by visiting our Web site at:
www.state.mi.us/audgen/



Michigan Office of the Auditor General
201 N. Washington Square
Lansing, Michigan 48913

Thomas H. McTavish, C.P.A.
Auditor General

James S. Neubecker, C.P.A., C.I.A., D.P.A.
Executive Deputy Auditor General

Scott M. Strong, C.P.A., C.I.A.
Director of Audit Operations